



PUBLIC SCHOOLS OF NORTH CAROLINA

STATE BOARD OF EDUCATION | Eric C. Davis, Chairman

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MEMORANDUM

TO: Office of State Budget and Management

FROM: North Carolina State Board of Education Legal Office

DATE: May 14, 2019

RE: N.C. Gen. Stat. § 150B-19.1(g) Certification: Requirements Regarding Statewide Testing for English Learners

The following rule within 16 NCAC 06D is proposed for readoption to be compatible with federal law governing Statewide Testing for English Learners:

16 NCAC 06D .0312 applies to the identification of English Learners and their participation in statewide testing, including testing accommodations and criteria for being removed from English Learner identification. Regulation by the State of North Carolina of these matters is subject to the provisions of 20 U.S.C. § 6311(b)(3) (as amended in 2015 by Pub. L. No. 114-95).

The adoption of the above-named rule is necessary to comply with the federal regulations governing assessment of English Learners and State reporting of the performance of English Learners through statewide testing.